

REMARKS/ARGUMENTS

Claims 1, 3-20, and 22-38 are currently pending in this application. Claims 2 and 21 have been cancelled. The limitations of dependent claims 2 and 21 have been introduced into independent claims 1 and 20, respectively.

Claim Rejections – 35 U.S.C. § 102

Claim 1-38 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,248,839 to Esselborn et al.

As amended, the polymer structure of the claimed invention is significantly different from that described by Esselborn. Even where Z in formula 1 of the claimed invention is a halogen substituted carboxylate (III, with Y=O) or a mercaptane group (V), the polymer of the invention is different from the polymers taught by Esselborn. Moreover, the polymers of Esselborn are suitable dispersants or stabilizers for inert solids, whereas the polymers of the present invention are capable of fulfilling higher demands for the dispersion of solids reacting with water. The polymers of the present invention are even effective for dispersing hydraulic binders.

Applicant respectfully submits that the current claims patentably define the invention and requests that a timely Notice of Allowance be issued in this case. The Commissioner is hereby authorized to charge any additional fees which may be required in the Application to Deposit Account No. 06-1135.

Respectfully submitted,

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